



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

sector  
#3

Applicants: Troy David Armstrong et al.

Serial No.: 09/456,211

Date: February 7, 2000

Filed: December 7, 1999

Group Art Unit: 2759

For: FAIR ELEVATOR SCHEDULING  
ALGORITHM FOR DIRECT  
ACCESS STORAGE DEVICE

Examiner: Unassigned

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

**LETTER**

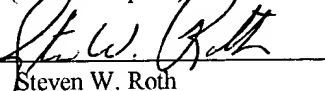
In response to the Notice To File Missing Parts of Application mailed January 11, 2000, enclosed herewith is a Declaration executed by the inventors, whose signatures did not appear on the Declaration as originally filed.

Authorization is hereby given to charge any fees, including fees under 37 CFR 1.16(e), to Deposit Account 09-0465. A duplicate copy of this letter is enclosed along with a copy of the Notice.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on

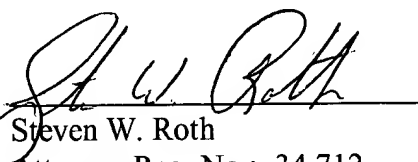
February 7, 2000

(Date of Deposit)

  
Steven W. Roth

Respectfully submitted,

By:

  
Steven W. Roth  
Attorney Reg. No.: 34,712  
IBM Corporation, Dept 917  
3605 Highway 52 North  
Rochester, MN 55901-7829  
Telephone: (507) 253-1600

Docket No.: RO996-104

Serial No.: 09/456,211



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	PATENT & TRADEMARK OFFICE RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	--	-----------------------	---------------------------

09/456,211 12/07/99 ARMSTRONG

T IBM/112

R0999-104

0242/0111

SCOTT A STINEBRUNER  
WOOD HERRON & EVANS LLP  
2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI OH 45202-2917

NOT ASSIGNED

2759

DATE MAILED:

01/11/00

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 1,286.00

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 162.00 for 9 total claims over 20.

\$ 281.00 for 3 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

Mr. Paul S. France  
An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

02/15/2000 AS/MALE 00000009 090465 09456211  
760.00 CH  
234.00 CH  
162.00 CH  
130.00 CH  
01 FEB:101  
02 FEB:102  
03 FEB:103  
04 FEB:105  
U.S. POST